

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THOMAS G. HAYES, CHARLES L.)
PHILLIPS, JOHN J. SHELTON, TIMOTHY)
S. EARHART, ROBERT L. VEAL, STEVEN)
KOLB, MICHAEL SODERBERG, RANDY)
I. BYBEE, THOMAS REINHART, LORI)
PLAUTZ, as Special Administrator for the)
Estate of Dan Plautz, STEVEN AYRES,)
CHARLES P. BISH, KEVIN BRIDGES,)
MARK PLOWMAN, DANIEL R.)
BARTLING, PATRICK BENSON,)
KENNETH E. DAHLKE, KEVIN R.)
KAVAN, DANA KORELL, LLOYD J.)
MORROW, LORRI J. ROGERS, TIMOTHY)
L. SALMEN, MITCHELL SCHMITZ,)
MICHAEL A. TOBEY, MARTIN J.)
COSTELLO, STEVEN L. GILL, BARBARA)
AUDE, STEVEN A. KERNS, DOUGLAS W.)
KNICKMAN, JAMES M. TRAVNICEK,)
ROGER L. CHRANS, CHARLES ELLEY,)
DARREL HOWELL, KEVIN K. KNORR,)
DAVID NELSON, CHARLES)
O'CALLAGHAN, RUSSELL T.)
STANCZYK, DANIEL L. WILSON,)
ROBERT J. ELLIOTT, LINDA S.)
SCHULZE, ALAN THEOBALD, DANIEL)
B. DOGETT, GERALD E. SCHMIDT,)
KEVIN KRZYZANOWSKI, TIM E.)
ARNOLD, KENT HANLIN, CRAIG A.)
LOVELESS, DARWIN DAILY, SCOTT)
KRAEL, SCOTT A. BLACK, JEFF WARD,)
GARY L. CLINE, KEITH O.)
DRINKWALTER, MARK S.)
FUNKHOUSER, JUD A. MCKINSTRY,)
ERIC C. RICE, PATRICK A. TOBEY,)
EUGENE A. TRUE, MARK VAN HORN,)
ANDY ALLEN, JEFF BOSTON, GREGORY)
GOLTZ, PAUL J. HATTAN, ROBERT)

CASE NO.

COMPLAINT

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2011 DEC 19 PM 4:31

SCHMID, BRYCE A. TRIPLETT,)
TIMOTHY W. ARNEY, MONICA R.)
BARTLING, KEVIN CHASE, DENNIS L.)
GRIFFITHS, ERIC GROSSOEHME, KIRK)
P. HANSEL, DAVID E. HANSELMANN,)
DOUGLAS C. KELLEY, ROBERT ROSE,)
ALLEN WILSHUSEN, MARK A.)
WILLIAMS, BRYAN E. JONES, JOE)
HANSEN, TERRY A. KENNY, ROSS E.)
LYON, VERNON E. BARTON, JOEL)
BERGMAN, CHRISTOPHER L. BIGSBY,)
BUCK BOJE, DAVID L. HAYES, DAVID)
M. HEIDBRINK, DONALD J. MEISTER,)
WILLIAM T. PRICE, ROBERT RUDLOFF,)
JAMES B. STOVER, GALEN D.)
SVOBODA, TIMOTHY L. WANGLER,)
DANIEL D. KLIMEK, RICHARD D.)
FELLIN, FRANKLIN M. PECK, ROBERT)
C. FRANK, FREDRICK BASTRON,)
WENDY BREHM, JEROLD D. CHAB,)
CHRISTOPHER F. CHRISTEN, LONNIE L.)
CONNELLY, JASON M. DEAN, THOMAS)
K. GROVE, TODD KINGHORN, BRENDA)
KONFRST-MCDONALD, BRUCE A.)
MITCHELL, CAROLYN O'BRIEN,)
TIMOTHY F. PICKERING,)
CHRISTOPHER J. PLEISS, JEFFREY T.)
ROGERS, JOEL L. SMITH, TODD)
STECKELBERG, MATTHEW C. TAYLOR,)
SANDRA D. TIGHE, JEFF WALLACE,)
RON KOSIBA, DUFF D. JENSEN, ROGER)
L. FOLKERS, RONALD L. KISSLER, JON)
W. KRAAI, RICHARD A. LUTTER,)
KENNETH J. MOODY, DAVID)
SCHEIDELER, JEFFREY D. SHELTON,)
KEVIN WAUGH, KEITH BIGNELL, JOHN)
ESSER, GREGORY LAMMERS, WAYNE T.)
TRANHAM, DALE O. BEETHE,)
MATTHEW BRODECKY, JOHN A.)
COOVER, DALE E. FAHNHOLZ, SHANE)

J. FLYNN, JON GOODE, CHRISTOPHER)
KOBBER, WILLIAM L. LAMBERT, JR.,)
JEROME MCCOY, SCOTT R. OLSON,)
JEFFREY D. PELOWSKI, BRIAN L.)
PETERSEN, DAVID POHL, SCOTT T.)
RUTTEN, FREDERIC L. STORM, TODD C.)
WILEY, LEE JACOBSEN, BRUCE)
OKAMOTO, JEFF WILCYNski, SCOTT)
LACKAS, SEAN CARADORI, MICHAEL)
KORTE, TIMOTHY L. STOPAK, KEVIN M.)
RYAN, BRIAN EDINS, JAMES R. HITZ,)
JAMES E. BILLS, DEAN R.)
CHRISTENSEN, MONTE DART,)
RUSSELL S. DOSTAL, BRADLEY)
HIGGINS, NATHAN JACOBSEN,)
MATTHEW J. MAUS, ANTHONY)
SATTLEFIELD, JEREMY C. STRACK,)
DAVID A. NELSON, JEFF CRYMBLE,)
CLINT BRUHN, DONALD F. BUETTNER,)
MICHAEL C. DOWLING, MARTIN D.)
DENTON, TIMOTHY P. BAUMANN,)
MANUEL JIMENEZ, PHILLIP J. THEDE,)
RICHARD R. ALDAG, IV, CHRIS BAER,)
BRENT BOCKSTADTER, KURT K.)
FRAZEY, JEFFREY L. ROBY, TRAVIS)
WALLACE, PAUL SMOOT, CHRIS P.)
MANNEL, ALAN EBERLE, JR., DAVID)
FRYE, MARCUS S. WARNKE, ROBERT)
ALMQUIST, CHARLIE F. COOK, DREW)
FERGUSON, DAN FIALA, TIMOTHY)
FLICK, PAUL HAGEN, PAUL R.)
JACOBSEN, CURTIS G. PROHASKA,)
CARLOS TREVINO, MARK S. WHITE,)
JOHN L. ALLEN, CHAD T. PHABY,)
JARROD J. CONNELLY, GORDON R.)
DOWNING, DANIEL P. GUTIERREZ,)
MICHAEL J. HEIKKINEN, MICHAEL D.)
HENRY, JAMES E. PEDERSON, DAN)
SCARROW, MARCUS R. SCHMIDT,)
TODD A. SUCHSLAND, NEAL W.)

TRANHAM, KURT H. VON MINDEN,)
CLINTON S. BOHATY, MICHAEL J.)
MALLERY, KOREY JOHNSON, KEVIN)
WHETSTINE, LAWNEY J. KNUTH,)
NATHAN AVERY, SHANE BELGUM,)
DONALD G. FRITCH, DAIN HICKS,)
JASON SCOTT, JASON SEARS, DONALD)
L. TRIMBLE, ERIC J. AHO, JR., WILLIAM)
L. BURR, BRIAN R. BUXBAUM, MICKEY)
E. DOWNING, JR., BRIAN EADS, RYAN)
D. HAYES, DAVID HUNTER, ERIC R.)
JONES, BRAD MOELLER, ANDREW J.)
MOHR, MICHAEL L. RATHE, JASON B.)
STAHL, GARY J. STEGMAN, WILLIAM R.)
LEADER, KYLE DIEFENBAUGH,)
BRADLEY HAND, JOHN W. OLSEN,)
ROBBY A. JACKSON, TADUM S.)
KNIGHT, MATTHEW R. NICHOLAS,)
REAGAN WIEBELHAUS, MATTHEW)
EISCHEID, JAMES ESTWICK, JOEY)
FYNBU, BECKY HARRIS, DAVE A.)
JOHNSON, DOUG PETTY,)
CHRISTOPHER D. RICHARDSON, DEAN)
RIEDEL, BRADY M. RUMP, GABRIEL)
SKALKA, SCOTT JAVINS, SCOTT D.)
HAUGAARD, JOHN WAGNER, NOAH)
MCNEESE, JOHN A. LEWIS, MICHAEL)
GRUMMERT, DUSTIN BLACK, KEVIN J.)
BRUNING, TOBY CZAPLA, JAMES R.)
DEFREECE, BRIAN M. DETLEFSEN,)
JUSTIN GRINT, CORY M. HALVERSON,)
RYAN M. HENRICHS, JARED G.)
JACOBSEN, NICHOLAS A. JAWORSKI,)
KENT A. KAVAN, JONATHAN)
KROEGER, CODY PARO, STEVEN M.)
PECK, ROBERT J. PELSTER, JAY POPPE,)
JASON A. PROBASCO, AARON)
WATSON, TAMMRAE E. OTTO,)
CHRISTOPHER R. APLEY, MICHAEL D.)
CERNY, BRADLEY A. ELSEA, DAVID L.)

KLEENSANG, ROBERT A. COOK,)
 JOSEPH R. FLASNICK, CHRISTOPHER)
 GOODRICH, KIRK HARRIS, BARRY L.)
 HINKLE, MONTY LOVELACE, WESLEY)
 D. PETERS, CORY L. TOWNSEND, RYAN)
 YOUNG, GREGORY MILLER, TRINITY J.)
 JONES, KALEB A. BRUGGEMAN, ADAM)
 ANKERSEN, PAUL HAZARD, THOMAS)
 HICKEN, KEITH J. BELL, LINDSEY L.)
 BIXBY, BEN BRAKENHOFF, JEREMY S.)
 DUGGER, CLINTON ELWOOD,)
 NICHOLAS J. FREDERICK, JEREMY A.)
 HAMPTON, JEREMIAH JOHNSON,)
 LEJAY JONES, MARK KINNEY, BRIAN)
 MCCUEN, JOHN P. MOBLEY, STEPHEN)
 B. MONFEE, SAMUEL P. MORTENSEN,)
 AARON NILSON, JASON PETTY,)
 NICHOLAS L. PLATE, JASON PRANTE,)
 WILLIAM J. ROWELL, BRYAN)
 WROBLEWSKI, MICHAEL R.)
 ANDERSON, JASON A. HALOUSKA,)
 SETH R. WIMER, VICKI STREETER,)
 LESLIE L. ZIMMERMAN, BENJAMIN L.)
 POMAJZL, KURT VON RENTZELL,)
 BRADLEY A. WAGNER, JOAN LAU,)
 MICHAEL J. JOHNSON, MYRON M.)
 BELL, KEVIN F. STARY, PAUL ASCHE,)
 GENA M. JONES, SEAN VELTE, BRYAN)
 L. WOODS, GARY L. BERGMEIER, TROY)
 A. ELLIOTT, ROBERT GOLDEN,)
 SHANON W. KOUBEK, GEORGE E.)
 SCOTT, ERIC KAUFFMAN, SEAN M.)
 RILEY, BRANDON E. SORGENFREI,)
 ARTHUR E. FRERICH, KRISTINE)
 HUNZEKER, JUSTIN D. PETERSEN,)
 RYAN S. PHINNEY, CYNTHIA)
 ALBERICO, BETHANY BAUER, BRENT J.)
 DEIBLER, ANTHONY FREDERICK,)
 THEODORE GANS, DEREK KERMOADE,)
 MICHAEL MAYTUM, JASON MORRIS,)

MALYCHONE J. SAYALOUNE,)
 MICHAEL WAMSLEY, SEAN WILSON,)
 JEROMY L. RADFORD, THOMAS)
 GIFFEE, JUSTIN C. BUHLKE, TINA)
 CLEVELAND, NATHAN T. DARMENTO,)
 TANNER ENGEL, JAY HUHMAN,)
 JESSICA L. KITCHELL, MELANIE S.)
 LUEDERS, NATHAN MALICKY, ERIC V.)
 PFEIFFER, ANDREW PHILLIPS,)
 BENJAMIN SCHROPFER, CHRISTOPHER)
 TIPPERY, MITCHELL BLUM, ANDREW)
 HEWITT, EDWIN L. MARTENS,)
 THEODORE J. SANKO, LUKE)
 SPLATTSTOESSER, JEFFREY VAN)
 STELTON, WILLIAM L. CLEVELAND,)
 JEFFREY DUNTON, ANDREW M.)
 ECKLUND, DENNIS R. FREY, JR., JOHN)
 M. LUKESH, DANIEL PARKER,)
 MATTHEW W. PARR, JOSEPH)
 THOMASSEN, JASON BAUER, TROY)
 GOODSCHMIDT, TYLER M. KUDERA,)
 JAMES H. PEDERSEN, JR., JEFFREY R.)
 RUTAN, NATHAN VEAL, BRANDON)
 VITERNA, MATTHEW WORKMAN,)
 WARREN GIBSON, JUSTIN C. DAVIS,)
 AMANDA J. KRUSE, DION NEUMILLER,)
 MATTHEW M. SUTTER, KAYLA D.)
 FARRELL, KEVIN FINN, NICHOLAS S.)
 GOODWIN, ERIC HESSER, CHRIS)
 LUTES, MATT SCHMIT, AARON)
 SCHOEN, MATTHEW WAMSLEY,)
 MATTHEW ADAMS, JOHN N.)
 HADAWAY, TYLER KROENKE, KYLE)
 KUEBLER, BROCK MICKELSON, TYLER)
 F. SCHMIDT, CLINT ZOST, CLAYTON D.)
 DISHONG, CODY MCGEE,)

Plaintiffs,)

vs.)

DAVE HEINEMAN, Governor of the State)
of Nebraska in His Official Capacity,)
CARLOS CASTILLO, Director of the State)
of Nebraska Department of Administrative)
Services, in His Official Capacity, and)
DON STENBERG, Treasurer for the State)
of Nebraska, in His Official Capacity,)
)
Defendants,)
)
and)
)
DAVE HEINEMAN, Governor of the State)
of Nebraska, in his Individual Capacity,)
CARLOS CASTILLO, Director of the State)
of Nebraska Department of Administrative)
Services, in His Individual Capacity, DON)
STENBERG, Treasurer for the State of)
Nebraska, in His Individual Capacity, and)
SHANE OSBORN, former Nebraska State)
Treasurer, in his individual capacity,)
)
Defendants.)

COME NOW the Plaintiffs, by and through their attorneys of record, and state and allege as follows:

I. JURISDICTION

1. This Court has jurisdiction pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1343 and 28 U.S.C. § 1367.

2. Plaintiffs bring this action under Article I § 10 of the United States Constitution, 42 U.S.C. § 1983 and the Declaratory Judgments Act, 28 U.S.C. § 2201-2202.

II. INTRODUCTORY ALLEGATIONS

3. Upon their appointment as employees of the State Patrol, each of the plaintiffs immediately became enrolled in the Nebraska State Patrol Retirement System, a defined benefit pension plan for employees of the Nebraska State Patrol funded by contributions from members of the plan and State appropriations.

4. The percentage contribution of each Plaintiff was contractually set by statute when each took employment with the Patrol, and that statute is located at Neb. Rev. Stat. Section 81-2017.

5. Thereafter, legislation was enacted from time to time to increase the contribution rates of the Plaintiffs above the statutory set rate in place at the time of the Plaintiffs' employment. The amendment of the Plaintiffs' contribution rates were unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to each rate change, because these changes violated Article I, Section 10, Cl. 1 of the U.S. Constitution (the "Contracts Clause").

6. After each change in the contribution rate was made by a change in the statute, each month after the effective date of the statutory change, the Department of Administrative Services or its predecessor made a mandatory deduction from each member's salary in an amount that reflected the increase in the original contribution by the additional amount.

7. At the outset of their employment, the Plaintiffs did not understand or agree at any time that their retirement pension would or could be changed in terms of the percentages of monthly salary contribution and/or whether additional contributions could be imposed upon them.

8. The actions of the defendants in their individual capacities violated clearly settled federal constitutional law and therefore the defendants are not entitled to qualified immunity from this legal action or from compensating the plaintiffs for the damages they have suffered because of the defendants' actions.

III. PARTIES

A. The Plaintiffs

(1) *8% Rate Plaintiffs (i.e. those first employed before July 1, 1995).*

9. Thomas G. Hayes is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately November 1, 1977. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately August 29, 2008.

10. Charles L. Phillips is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately November 3, 1978. This plaintiff made

contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately September of 2008.

11. John J. Shelton is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately September 7, 1980. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately June 30, 2010.

12. Timothy S. Earhart is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately September 8, 1980. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately July of 2009.

13. Robert L. Veal is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1981. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

14. Steven Kolb is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately September 14, 1981. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately December 31, 2008.

15. Michael Soderberg is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately September 14, 1981. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately August of 2008.

16. Randy I. Bybee is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately April 3, 1983. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately September 1, 2008.

17. Thomas Reinhart is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of

employment with the Patrol was approximately April 4, 1983. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately December 31, 2008.

18. Lori Plautz is the Special Administrator for the Estate of Dan Plautz. Dan Plautz was an employee of the Nebraska State Patrol, and his first day of employment with the Patrol was approximately April 4, 1983. Before his death, Dan Plautz made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. Upon information and belief, the last date the employee made contributions to the State Patrol pension plan was approximately October 29, 2008.

19. Steven Ayres is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately April 8, 1983. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately December of 2009.

20. Charles P. Bish is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately January 11, 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

21. Kevin Bridges is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March of 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

22. Mark Plowman is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately March of 1984. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately September 1, 2011.

23. Daniel R. Bartling is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately March 26, 1984. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately July 1, 2009.

24. Patrick Benson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately March 26, 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

25. Kenneth E. Dahlke is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 26, 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

26. Kevin R. Kavan is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately March 26, 1984. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately October 31, 2009.

27. Dana Korell is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately March 26, 1984. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately April 30, 2011.

28. Lloyd J. Morrow is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of

employment with the Patrol was approximately March 26, 1984. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately August of 2009.

29. Lorri J. Rogers is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately March 26, 1984. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately June of 2009.

30. Timothy L. Salmen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 26, 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

31. Mitchell Schmitz is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 26, 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

32. Michael A. Tobey is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately March 26, 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

33. Martin J. Costello is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately June of 1984. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately June of 2009.

34. Steven L. Gill is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately June 8, 1984. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

35. Barbara Aude is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately February 6, 1985. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

36. Steven A. Kerns is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 1, 1985. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

37. Douglas W. Knickman is an employee of the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately July 1, 1985. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately October 30, 2010.

38. James M. Travnicek is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November of 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

39. Roger L. Chrans is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

40. Charles Elley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

41. Darrel Howell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

42. Kevin K. Knorr is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

43. David L. Nelson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

44. Charles O'Callaghan is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

45. Russell T. Stanczyk is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

46. Daniel L. Wilson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately November 10, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

47. Robert J. Elliott is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 11, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

48. Linda S. Schulze is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 11, 1986. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

49. Alan Theobald is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately February 7, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

50. Daniel B. Doggett is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately June of 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

51. Gerald E. Schmidt is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately June 28, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

52. Kevin Krzyzanowski is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately June 29, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

53. Tim E. Arnold is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately June 30, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

54. Kent Hanlin is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

55. Craig A. Loveless is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

56. Darwin Daily is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately September 11, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

57. Scott Kracl is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 11, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

58. Scott A. Black is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

59. Jeff Ward is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

60. Gary L. Cline is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

61. Keith O. Drinkwalter is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately September 14, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

62. Mark S. Funkhouser is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

63. Jud A. McKinstry is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

64. Eric C. Rice is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

65. Patrick A. Tobey is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

66. Eugene A. True is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately September 14, 1987. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

67. Mark Van Horn is retired from the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately September 14, 1987. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately December 31, 2010.

68. Andy Allen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

69. Jeff Boston is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

70. Gregory Goltz is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

71. Paul J. Hattan is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

72. Robert Schmid is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

73. Bryce A. Triplett is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

74. Timothy W. Arney is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

75. Monica R. Bartling is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

76. Kevin Chase is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

77. Dennis L. Griffiths is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

78. Eric Grossoehme is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

79. Kirk P. Hansel is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

80. David E. Hanselmann is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

81. Douglas C. Kelley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

82. Robert Rose is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

83. Allen Wilshusen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

84. Mark A. Williams is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

85. Bryan E. Jones is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December 16, 1988. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

86. Joe Hansen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October of 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

87. Terry A. Kenny is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October of 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

88. Ross E. Lyon is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October of 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

89. Vernon E. Barton is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

90. Joel Bergman is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

91. Christopher L. Bigsby is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

92. Buck Boje is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

93. David L. Hayes is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

94. David M. Heidbrink is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

95. Donald J. Meister is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

96. William T. Price is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

97. Robert Rudloff is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

98. James B. Stover is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

99. Galen D. Svoboda is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

100. Timothy L. Wangler is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

101. Daniel D. Klimek is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was in 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

102. Richard D. Fellin is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

103. Franklin M. Peck is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

104. Robert C. Frank is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

105. Fredrick Bastron is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

106. Wendy Brehm is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

107. Jerold D. Chab is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

108. Christopher F. Christen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

109. Lonnie L. Connelly is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

110. Jason M. Dean is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

111. Thomas K. Grove is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

112. Todd Kinghorn is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

113. Brenda Konfrst-MacDonald is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

114. Bruce A. Mitchell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

115. Carolyn O'Brien is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

116. Timothy F. Pickering is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

117. Christopher J. Pleiss is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

118. Jeffrey T. Rogers is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

119. Joel L. Smith is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

120. Todd Steckelberg is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

121. Matthew C. Taylor is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

122. Sandra D. Tighe is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

123. Jeff Wallace is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

124. Ron Kosiba is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 7, 1990. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

125. Duff D. Jensen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

126. Roger L. Folkers is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

127. Ronald L. Kissler is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

128. Jon W. Kraai is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

129. Richard A. Lutter is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

130. Kenneth J. Moody is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

131. David Scheideler is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

132. Jeffrey D. Shelton is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

133. Kevin Waugh is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 2, 1991. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

134. Keith Bignell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

135. John Esser is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

136. Gregory Lammers is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

137. Wayne T. Trantham is retired from the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pensioner. This plaintiff's first day of employment with the Patrol was approximately November 3, 1978 and he served the Patrol until Dec. 29, 1986. He later rejoined the Patrol on July 5, 1994, and served the Patrol until August 31, 2009. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired. The last date the employee made contributions to the State Patrol pension plan was approximately August 31, 2009.

138. Dale O. Beethe is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

139. Matthew Brodecky is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

140. John A. Coover is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

141. Dale E. Fahnholz is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

142. Shane J. Flynn is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

143. Jon Goode is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

144. Christopher Kober is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

145. William L. Lambert, Jr. is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

146. Jeromy McCoy is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

147. Scott R. Olson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

148. Jeffrey D. Pelowski is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

149. Brian L. Petersen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

150. David Pohl is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

151. Scott T. Rutten is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

152. Frederic L. Storm is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

153. Todd C. Wiley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 5, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

154. Lee Jacobsen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 7, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

155. Bruce Okamoto is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December 9, 1994. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

156. Jeff Wilcynski is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was in 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

157. Scott Lackas is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 12, 1988, and he became eligible for the Pension and began making contributions to the pension on January 1, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol since that date.

(2) *10% Rate Plaintiffs (i.e. those first employed between July 1, 1995 & June 30, 1996).*

158. Sean Caradori is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

159. Michael Korte is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

160. Timothy L. Stopak is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

161. Kevin M. Ryan is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

162. Brian Edins is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 15, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

163. James R. Hitz is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 16, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

164. James E. Bills is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

165. Dean R. Christensen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

166. Monte Dart is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

167. Russell S. Dostal is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

168. Bradley Higgins is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

169. Nathan Jacobsen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

170. Matthew J. Maus is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

171. Anthony Sattlefield is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

172. Jeremy C. Strack is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

173. David A. Nelson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 19, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

174. Jeff Crymble is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 17, 1995. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

(3) *11% Rate Plaintiffs (i.e. those first employed between July 1, 1996 & June 30, 2004).*

175. Clint Bruhn is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

176. Donald F. Buettner is a Trooper with the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

177. Michael C. Dowling is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July of 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

178. Martin D. Denton is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 13, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

179. Timothy P. Baumann is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

180. Manuel Jimenez is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

181. Philip J. Thede is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 15, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

182. Richard Aldag, IV, is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July 15, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

183. Chris Baer is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 15, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

184. Brent Bockstadter is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 15, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

185. Kurt K. Frazey is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 15, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

186. Jeffrey L. Roby is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 15, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

187. Travis Wallace is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July 15, 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

188. Paul Smoot is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December of 1996. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

189. Chris P. Mannel is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

190. Alan Eberle, Jr. is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

191. David Frye is retired from the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately July of 1997. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately November of 2008.

192. Marcus S. Warnke is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

193. Robert Almquist is retired from the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately July 14, 1997. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until he retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately February 1, 2011.

194. Charlie F. Cook is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

195. Drew Ferguson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

196. Dan Fiala is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol

was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

197. Timothy Flick is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

198. Paul Hagen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

199. Paul R. Jacobsen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

200. Curtis G. Prohaska is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

201. Carlos Trevino is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July 14, 1997. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

202. Mark S. White is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

203. John L. Allen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 1, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

204. Chad T. Phaby is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 1, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

205. Jarrod J. Connelly is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

206. Gordon R. Downing is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

207. Daniel P. Gutierrez is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

208. Michael J. Heikkinen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

209. Michael D. Henry is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

210. James E. Pederson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

211. Daniel Scarrow is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

212. Marcus R. Schmidt is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

213. Todd A. Suchsland is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

214. Neal W. Trantham is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

215. Kurt H. Von Minden is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

216. Clinton S. Bohaty is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

217. Michael J. Mallery is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

218. Korey Johnson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 2, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

219. Kevin Whetstine is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately March 3, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

220. Lawney J. Knuth is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

221. Nathan Avery is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately September of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

222. Shane Belgum is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

223. Donald G. Fritch is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

224. Dain Hicks is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

225. Jason Scott is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

226. Jason Sears is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol

was approximately September of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

227. Donald L. Trimble is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

228. Eric Aho, Jr. is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

229. William L. Burr is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

230. Brian R. Buxbaum is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

231. Mickey E. Downing, Jr. is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

232. Brian Eads is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

233. Ryan D. Hayes is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

234. David J. Hunter is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

235. Eric R. Jones is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

236. Brad Moeller is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

237. Andrew J. Mohr is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

238. Michael L. Rathe is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

239. Jason B. Stahl is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 14, 1998. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

240. Gary J. Stegman is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately January of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

241. William R. Leader is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment in his

most recent employment with the Patrol was approximately June 29, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

242. Kyle Diefenbaugh is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

243. Bradley Hand is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

244. John W. Olsen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of his most recent employment with the Patrol was approximately in July of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

245. Robby A. Jackson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

246. Tadam S. Knight is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

247. Matthew R. Nicholas is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

248. Reagan Wiebelhaus is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

249. Matthew Eischeid is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

250. James Estwick is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

251. Joey Fynbu is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

252. Becky Harris is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

253. Dave A. Johnson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

254. Doug Petty is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

255. Christopher D. Richardson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made

contributions to the pension as required during employment with the Nebraska State Patrol.

256. Dean Riedel is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

257. Brady M. Rump is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

258. Gabriel Skalka is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

259. Scott Javins is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

260. Scott D. Haugaard is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately December 21, 1999. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

261. John Wagner is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

262. Noah McNeese is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

263. John A. Lewis is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 10, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

264. Michael Grummert is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 11, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

265. Dustin Black is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol

was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

266. Kevin J. Bruning is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

267. Toby Czapla is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

268. James R. DeFreece is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

269. Brian M. Detlefsen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

270. Justin Grint is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol

was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

271. Cory M. Halverson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

272. Ryan M. Henrichs is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

273. Jared G. Jacobsen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

274. Nicholas A. Jaworski is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

275. Kent A. Kavan is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

276. Jonathan Kroeger is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

277. Cody Paro is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

278. Steven M. Peck is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

279. Robert J. Pelster is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

280. Jay Poppe is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol

was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

281. Jason A. Probasco is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

282. Aaron Watson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 14, 2000. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

283. Tammrae E. Otto is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment in her most recent employment with the Patrol was in April of 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

284. Christopher R. Apley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

285. Michael D. Cerny is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

286. Bradley A. Elsea is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

287. David L. Kleensang is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

288. Robert A. Cook is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

289. Joseph R. Flasnack is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

290. Christopher Goodrich is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

291. Kirk Harris is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

292. Barry L. Hinkle is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

293. Monty Lovelace is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

294. Wesley D. Peters is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

295. Cory L. Townsend is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 13, 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

296. Ryan Young is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September of 2001. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

297. Gregory Miller is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 12, 1999. Upon information and belief, he became a part of the State Patrol member's pension plan in approximately the fall of 2001 or winter 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol since that time.

298. Trinity J. Jones is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

299. Kaleb A. Bruggeman is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

300. Adam Ankersen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

301. Paul Hazard is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

302. Thomas Hicken is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

303. Keith J. Bell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

304. Lindsey L. Bixby is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

305. Ben Brakenhoff is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

306. Jeremy S. Dugger is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

307. Clint Elwood is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

308. Nicholas J. Frederick is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

309. Jeremy A. Hampton is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

310. Jeremiah Johnson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

311. LeJay Jones is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

312. Mark Kinney is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

313. Brian McCuen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

314. John P. Mobley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

315. Stephen B. Monfee is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

316. Samuel P. Mortensen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

317. Aaron Nilson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

318. Jason Petty is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

319. Nicholas L. Plate is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

320. Jason Prante is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

321. William J. Rowell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

322. Bryan Wroblewski is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 1, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

323. Michael R. Anderson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

324. Jason A. Halouska is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately March 20, 1998. Upon information and belief, the plaintiff became eligible for the Patrol Pension in approximately December 2002, and has made contributions to the pension as required during employment with the Nebraska State Patrol since that time.

325. Seth R. Wimer is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December of 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

326. Vicki Streeter is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately June 29, 1987. She became a member of the State Patrol pension plan in approximately December, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

327. Leslie L. Zimmerman is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately September 3, 1990. She entered the Patrol Members Pension plan on December 1, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol since that time.

328. Benjamin L. Pomajzl is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately December 2, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

329. Kurt Von Rentzell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December 2, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

330. Bradley A. Wagner is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately December 2, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

331. Joan Lau is a retired Sergeant with the Nebraska State Patrol, and is a beneficiary of the State Patrol pension plan as a pension. This plaintiff's first day of employment with the Patrol was approximately October 9, 1989. She became a participant in the State Patrol pension on approximately December 2, 2002. This plaintiff made contributions to the pension as required during employment with the Nebraska State Patrol, until she retired or entered the DROP plan. The last date the employee made contributions to the State Patrol pension plan was approximately March 6, 2011.

332. Michael J. Johnson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately December 2, 2002. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

333. Myron M. Bell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately January of 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

334. Kevin F. Sary is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately January of 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

335. Paul Asche is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May of 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

336. Gena M. Jones is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May of 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

337. Sean Velte is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol

was approximately May 3, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

338. Bryan L. Woods is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 3, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

339. Gary L. Bergmeier is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 5, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

340. Troy A. Elliott is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 5, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

341. Robert Golden is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 5, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

342. Shanon W. Koubek is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately May 5, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

343. George E. Scott is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 5, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

344. Eric Kauffman is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

345. Sean M. Riley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

346. Brandon E. Sorgenfrei is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

347. Arthur E. Frerichs is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 4, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

348. Kristine Hunzeker is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 4, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

349. Justin D. Petersen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 4, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

350. Ryan S. Phinney is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 4, 2003. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

(4) *12% Rate Plaintiffs (i.e. those first employed between July 1, 2004 & June 30, 2007).*

351. Cynthia Alberico is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

352. Bethany Bauer is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

353. Brent J. Diebler is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

354. Anthony Frederick is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

355. Theodore Gans is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

356. Derek Kermoade is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

357. Michael Maytum is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

358. Jason Morris is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

359. Malychone J. Sayaloune is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

360. Michael Wamsley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

361. Sean Wilson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol

was approximately August of 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

362. Jeromey L. Radford is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 5, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

363. Thomas Giffey is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 7, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

364. Justin C. Buhlke is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

365. Tina Cleveland is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

366. Nathan T. Darmento is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

367. Tanner Engel is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

368. Jay Huhman is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

369. Jessica L. Kitchell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

370. Melanie S. Lueders is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

371. Nathan Malicky is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

372. Eric V. Pfeiffer is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

373. Andrew Phillips is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

374. Benjamin Schropfer is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

375. Christopher Tippery is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately August 8, 2005. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

376. Mitchell Blum is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July of 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

377. Andrew Hewitt is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

378. Edwin L. Martens is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

379. Theodore J. Sanko is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

380. Luke Splattstoesser is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

381. Jeffrey Van Stelton is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July of 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

382. William L. Cleveland is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

383. Jeffrey Dunton is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

384. Andrew M. Ecklund is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

385. Dennis R. Frey, Jr. is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

386. John M. Lukesh is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

387. Daniel Parker is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

388. Matthew W. Parr is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

389. Joseph Thomassen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2006. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

(5) *13% Rate Plaintiffs (i.e. those first employed between July 1, 2007 & June 30, 2009).*

390. Jason Bauer is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

391. Troy Goodschmidt is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

392. Tyler M. Kudera is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

393. James H. Pedersen, Jr. is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

394. Jeffrey R. Rutan is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

395. Nathan Veal is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

396. Brandon Viterna is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

397. Matthew Workman is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July of 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

398. Warren Gibson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 28, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

399. Justin C. Davis is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 30, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

400. Amanda J. Kruse is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 30, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

401. Dion Neumiller is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 30, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

402. Matthew M. Sutter is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 30, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

403. Kayla D. Farrell is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

404. Kevin Finn is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

405. Nicholas S. Goodwin is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

406. Eric Hesser is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

407. Chris Lutes is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

408. Matt Schmit is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

409. Aaron Schoen is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately July 31, 2007. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

410. Matthew Wamsley is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately January of 2008. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

- (6) *15% Rate Plaintiffs (i.e. those first employed between July 1, 2009 & June 30, 2010).*

411. Matthew Adams is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 3, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

412. John N. Hadaway is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 3, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

413. Tyler Kroenke is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 3, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

414. Kyle Kuebler is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 3, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

415. Brock Mickelson is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with

the Patrol was approximately May 3, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

416. Tyler F. Schmidt is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 3, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

417. Clint Zost is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately May 3, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

(7) *16% Rate Plaintiffs (i.e. those first employed between July 1, 2010 & June 30, 2011).*

418. Clayton D. Dishong is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

419. Cody McGee is an employee of the Nebraska State Patrol, and is a member of the State Patrol pension plan. This plaintiff's first day of employment with the Patrol was approximately November 10, 2010. This plaintiff has made contributions to the pension as required during employment with the Nebraska State Patrol.

B. The Defendants

420. Defendant David Heineman is the duly elected Governor of the State of Nebraska. Under Neb. Rev. Stat. § 84-731, Governor Heineman is charged with the duty to execute and enforce the laws of the State of Nebraska, including Neb. Rev. Stat. § 81-2017 (as amended from time to time). He is being sued in his official capacity with regard to the Plaintiffs requests for injunctive and declaratory relief. He is being sued individually with regard to the Plaintiffs requests for compensatory damages.

421. Defendant Carlos Castillo is the Director of Administrative Services of the State of Nebraska. The Director of Administrative Services is charged with the duty to deduct percentage amounts from the monthly compensation of Plaintiffs, and to credit such amounts to the State Patrol Pension Fund ("Fund"). He is being sued in his official capacity with regard to the Plaintiffs requests for injunctive and declaratory relief. He is being sued individually with regard to the Plaintiffs requests for compensatory damages.

422. Defendant Don Stenberg is the Treasurer of the State of Nebraska, and took office in January 2011. The Treasurer of the State of Nebraska is charged with the duty to credit amounts deducted from the payroll of each member of the State Patrol pension and to remit them to the Nebraska State Patrol Retirement Fund. Under Neb. Rev. Stat. § 81-2020 (2011), the Treasurer is the custodian of the funds of the Nebraska State Patrol Retirement System. He is being sued in his official capacity with regard to

the Plaintiffs requests for injunctive and declaratory relief. He is being sued individually with regard to the Plaintiffs requests for compensatory damages.

423. Defendant Shane Osborn was formerly the Treasurer of the State of Nebraska. He served in this capacity from January 2006 to January 2011. The Treasurer of the State of Nebraska is charged with the duty to credit amounts deducted from the payroll of each member of the State Patrol pension and to remit them to the Nebraska State Patrol Retirement Fund. Under Neb. Rev. Stat. § 81-2020 (2011), the Treasurer is the custodian of the funds of the Nebraska State Patrol Retirement System. He is being sued individually with regard to the Plaintiffs requests for compensatory damages.

IV. GENERAL ALLEGATIONS

424. The Plaintiffs reallege the allegations set forth in paragraphs 1-423 of this Complaint as though set forth fully herein.

425. Upon their appointment as employees of the State Patrol, each of the plaintiffs immediately became enrolled in the Nebraska State Patrol Pension System, a defined benefit pension plan for employees of the Nebraska State Patrol funded by contributions from members of the plan and State appropriations.

426. The percentage contribution of each Plaintiff was contractually set by statute when each took employment with the Patrol, and that statute is located at Neb. Rev. Stat. Section 81-2017.

427. In 1977, the year in which the longest tenured plaintiff was first employed by the Nebraska State Patrol, the employee contribution rate for participation in the Nebraska State Patrol Retirement Systems pension plan was 8% of the employee's monthly salary.

428. Effective July 1, 1995, the State of Nebraska increased the employee's contribution rates to 10% of the employee's monthly salary. In order to effect this change, the Nebraska Unicameral amended Neb. Rev. Stat. Section 81-2017, and the Governor of the State of Nebraska signed the amendment. The amendment of this contribution rate was unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to its enactment.

429. Effective July 1, 1996, the State of Nebraska increased the employee's contribution rates to 11% of the employee's monthly salary. In order to effect this change, the Nebraska Unicameral amended Neb. Rev. Stat. Section 81-2017, and the Governor signed the amendment. The amendment of this contribution rate was unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to its enactment.

430. Effective July 1, 2004, the State of Nebraska increased the employee's contribution rates to 12% of the employee's monthly salary. In order to effect this change, the Nebraska Unicameral amended Neb. Rev. Stat. Section 81-2017, and the Governor signed the amendment. The amendment of this contribution rate was

unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to its enactment.

431. Effective July 1, 2007, the State of Nebraska increased the employee's contribution rates to 13% of the employee's monthly salary. In order to effect this change, the Nebraska Unicameral amended Neb. Rev. Stat. Section 81-2017, and the Governor signed the amendment. The amendment of this contribution rate was unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to its enactment.

432. Effective July 1, 2009, the State of Nebraska increased the employee's contribution rates to 15% of the employee's monthly salary. In order to effect this change, the Nebraska Unicameral amended Neb. Rev. Stat. Section 81-2017, and the Governor signed the amendment. The amendment of this contribution rate was unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to its enactment.

433. Effective July 1, 2010, the State of Nebraska increased the employee's contribution rates to 16% of the employee's monthly salary. In order to effect this change, the Nebraska Unicameral amended Neb. Rev. Stat. Section 81-2017, and the Governor signed the amendment. The amendment of this contribution rate was unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to its enactment.

434. Effective July 1, 2011, the State of Nebraska increased the employee's contribution rates to 19% of the employee's monthly salary. In order to effect this change, the Nebraska Unicameral amended Neb. Rev. Stat. Section 81-2017, and the Governor signed the amendment. The amendment of this contribution rate was unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to its enactment.

435. Each month after the effective date of the statutory change, the Department of Administrative Services or its predecessor made a mandatory deduction from each member's salary in an amount that reflected the increase in the original contribution by the additional amount. The amendment of the contribution rate in each of these cases was unconstitutional as applied to all Plaintiffs employed by the Nebraska State Patrol prior to each of the increases in rates.

436. Under Neb. Rev. Stat. § 81-2039, "all contributions to the retirement system, all property and rights purchased with the contributions and all investment income attributable to the contributions, property or rights are held in trust by the State of Nebraska for the exclusive benefit of the members [of the Pension] and their beneficiaries."

437. At the outset of their employment, the Plaintiffs did not understand or agree at any time that their retirement pension would or could be changed in terms of

the percentages of monthly salary contribution and/or whether additional contributions could be imposed upon them.

438. The rights, duties, and liabilities of Plaintiffs and the State of Nebraska concerning the State Patrol Retirement Plan are contractual. The actions of the Defendants and their predecessors to raise the contribution rates of the Plaintiffs above the amounts that became established when they began working for the State Patrol as described in the Complaint and enforce those rates substantially impairs the contractual rights, duties, and liabilities of the Plaintiffs and the State of Nebraska, in violation of Article I, Section 10, Cl. 1 of the United States Constitution and 42 U.S.C. § 1983.

439. The implementation of each of the increases in the contribution rates of the Plaintiffs did not provide any new benefit or advantage to Plaintiffs comparable or offsetting the increased monthly contributions demanded by it.

440. The Defendants' impairment of the Plaintiffs contract rights is not a permissible or legitimate exercise of the State's sovereign powers to protect an important public purpose.

441. The actions of the defendants in their individual capacities violated clearly settled federal constitutional law and therefore the defendants are not entitled to qualified immunity from this legal action or from compensating the plaintiffs for the damages they have suffered because of the defendants' actions.

442. The Plaintiffs have informed the Nebraska Attorney General of their allegation that each of the amendments to Neb. Rev. Stat. § 81-2017 described herein are unconstitutional with regard to plaintiffs employed before each of these amendments, and have provided the Attorney General of the State of Nebraska a copy of this Complaint.

RELIEF REQUESTED

COUNT I

8% Rate Plaintiffs
(i.e. those first employed before July 1, 1995)

443. The Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through 442 of this Complaint as though fully set forth herein.

A. Injunctive Relief – Prospective Enforcement of Increased Contributions

444. The plaintiffs are entitled to injunctive relief enjoining the Defendants, in their official capacities, from enforcing the statutory increases in these plaintiffs' contribution rates at any rate above that of the rate that they originally contracted for at the outset of their employment with the Nebraska State Patrol.

B. Injunctive Relief – Disgorgement of Contributions & Investment Income

445. The plaintiffs are entitled to injunctive relief, enjoining the Defendants, in their official capacities, to disgorge all of the Plaintiffs' funds along with all investment income earned thereon, held in trust by the Defendants, that were wrongfully taken by the Defendants by enforcing pension contribution rates at any rate above that of the rate

that the Plaintiffs originally contracted for at the outset of their employment with the Nebraska State Patrol.

C. Declaratory Relief

446. Plaintiffs are entitled to declaratory relief, pursuant to the Declaratory Judgments Act, to a declaration that any imposition of contribution rates higher than the original pension contractual rates is unconstitutional.

D. Damages

447. As a proximate result of the Defendants implementation and enforcement of increases to pension contribution rates above the amount the plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, all plaintiffs employed by the State Patrol prior to July 1, 1995 have been and will continue to be, damaged in amounts equal to the increases effected by increases in their respective monthly contributions to the fund. These damages are ongoing.

448. That Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' implementation of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, including attorneys' fees and costs.

WHEREFORE, Plaintiffs pray that the enforcement of each increase to the pension contribution rates of the Plaintiffs contained in Neb. Rev. Stat. § 81-2017 since the date of their first employment with the Nebraska State Patrol be declared

unconstitutional as to Plaintiffs; that Defendants – acting in their official capacities -- be enjoined and restrained from the implementation, enforcement, and administration of these increases as to Plaintiffs; that the Court enter declaratory relief, setting out the contribution rates that applies to the Plaintiffs pursuant to their pension contracts; and that Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' actions, who acting in their individual capacities, have and continue to enforce the collection of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol from the plaintiffs; that the Plaintiffs be awarded attorneys' fees and costs of this action; and for such other and further relief as the Court shall deem just and equitable in the premises.

COUNT II

10% Rate Plaintiffs

(i.e. those first employed between July 1, 1995 and June 30, 1996)

449. The Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through 448 of this Complaint as though fully set forth herein.

A. Injunctive Relief – Prospective Enforcement of Increased Contributions

450. The plaintiffs are entitled to injunctive relief, enjoining the Defendants, in their official capacities, from enforcing the statutory increases in these plaintiffs' contribution rates at any rate above that of the rate that they originally contracted for at the outset of their employment with the Nebraska State Patrol.

B. Injunctive Relief – Disgorgement of Contributions & Investment Income

451. The plaintiffs are entitled to injunctive relief enjoining the Defendants, in their official capacities, to disgorge all of the Plaintiffs' funds along with all investment income earned thereon, held in trust by the Defendants, that were wrongfully taken by the Defendants by enforcing pension contribution rates at any rate above that of the rate that the Plaintiffs originally contracted for at the outset of their employment with the Nebraska State Patrol.

C. Declaratory Relief

452. Plaintiffs are entitled to declaratory relief, pursuant to the Declaratory Judgments Act to a declaration that any imposition of contribution rates higher than their original pension contract rates is unconstitutional.

D. Damages

453. As a proximate result of the Defendants implementation and enforcement of increases to pension contribution rates above the amount the plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, all plaintiffs first employed by the State Patrol between July 1, 1995 and June 30, 1996 have been and will continue to be, damaged in amounts equal to the increases effected by increases in their respective monthly contributions to the fund. These damages are ongoing.

454. That Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' implementation of a pension contribution rate

above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, including attorneys' fees and costs.

WHEREFORE, Plaintiffs pray that the enforcement of each increase to the pension contribution rates of the Plaintiffs contained in Neb. Rev. Stat. § 81-2017 since the date of their first employment with the Nebraska State Patrol be declared unconstitutional as to Plaintiffs; that Defendants – acting in their official capacities -- be enjoined and restrained from the implementation, enforcement, and administration of these increases as to Plaintiffs; that the Court enter declaratory relief, setting out the contribution rates that applies to the Plaintiffs pursuant to their pension contracts; and that Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' actions, who acting in their individual capacities, have and continue to enforce the collection of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol from the plaintiffs; that the Plaintiffs be awarded attorneys' fees and costs of this action; and for such other and further relief as the Court shall deem just and equitable in the premises.

COUNT III

11% Rate Plaintiffs

(i.e. those first employed between July 1, 1996 and June 30, 2004)

455. The Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through 454 of this Complaint as though fully set forth herein.

A. Injunctive Relief – Prospective Enforcement of Increased Contributions

456. The plaintiffs are entitled to injunctive relief, enjoining the Defendants, in their official capacities, from enforcing the statutory increases in these plaintiffs' contribution rates at any rate above that of the rate that they originally contracted for at the outset of their employment with the Nebraska State Patrol.

B. Injunctive Relief – Disgorgement of Contributions & Investment Income

457. The plaintiffs are entitled to injunctive relief enjoining the Defendants, in their official capacities, to disgorge all of the Plaintiffs' funds along with all investment income earned thereon, held in trust by the Defendants, that were wrongfully taken by the Defendants by enforcing pension contribution rates at any rate above that of the rate that the Plaintiffs originally contracted for at the outset of their employment with the Nebraska State Patrol.

C. Declaratory Relief

458. Plaintiffs are entitled to declaratory relief, pursuant to the Declaratory Judgments Act, that any imposition of contribution rates higher than their original pension contract rates is unconstitutional.

D. Damages

459. As a proximate result of the Defendants implementation and enforcement of increases to pension contribution rates above the amount the plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, all plaintiffs first

employed by the State Patrol between July 1, 1996 and June 30, 2004 have been and will continue to be, damaged in amounts equal to the increases effected by increases in their respective monthly contributions to the fund. These damages are ongoing.

460. That Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' implementation of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, including attorneys' fees and costs.

WHEREFORE, Plaintiffs pray that the enforcement of each increase to the pension contribution rates of the Plaintiffs contained in Neb. Rev. Stat. § 81-2017 since the date of their first employment with the Nebraska State Patrol be declared unconstitutional as to Plaintiffs; that Defendants – acting in their official capacities -- be enjoined and restrained from the implementation, enforcement, and administration of these increases as to Plaintiffs; that the Court enter declaratory relief, setting out the contribution rates that applies to the Plaintiffs pursuant to their pension contracts; and that Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' actions, who acting in their individual capacities, have and continue to enforce the collection of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol from the plaintiffs; that the Plaintiffs be awarded attorneys' fees and costs

of this action; and for such other and further relief as the Court shall deem just and equitable in the premises.

COUNT IV

12% Rate Plaintiffs

(i.e. those first employed between July 1, 2004 and June 30, 2007)

461. The Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through 460 of this Complaint as though fully set forth herein.

A. Injunctive Relief – Prospective Enforcement of Increased Contributions

462. The plaintiffs are entitled to injunctive relief, enjoining the Defendants, in their official capacities, from enforcing the statutory increases in these plaintiffs' contribution rates at any rate above that of the rate that they originally contracted for at the outset of their employment with the Nebraska State Patrol.

B. Injunctive Relief – Disgorgement of Contributions & Investment Income

463. The plaintiffs are entitled to injunctive relief enjoining the Defendants, in their official capacities, to disgorge all of the Plaintiffs' funds along with all investment income earned thereon, held in trust by the Defendants, that were wrongfully taken by the Defendants by enforcing pension contribution rates at any rate above that of the rate that the Plaintiffs originally contracted for at the outset of their employment with the Nebraska State Patrol.

C. Declaratory Relief

464. Plaintiffs are entitled to declaratory relief, pursuant to the Declaratory Judgments Act, setting out that any imposition of contribution rates higher than their original pension contract rates is unconstitutional.

D. Damages

465. As a proximate result of the Defendants implementation and enforcement of increases to pension contribution rates above the amount the plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, all plaintiffs first employed by the State Patrol between July 1, 2004 and June 30, 2007, have been and will continue to be, damaged in amounts equal to the increases effected by increases in their respective monthly contributions to the fund. These damages are ongoing.

466. That Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' implementation of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, including attorneys' fees and costs.

WHEREFORE, Plaintiffs pray that the enforcement of each increase to the pension contribution rates of the Plaintiffs contained in Neb. Rev. Stat. § 81-2017 since the date of their first employment with the Nebraska State Patrol be declared unconstitutional as to Plaintiffs; that Defendants – acting in their official capacities -- be enjoined and restrained from the implementation, enforcement, and administration of

these increases as to Plaintiffs; that the Court enter declaratory relief, setting out the contribution rates that applies to the Plaintiffs pursuant to their pension contracts; and that Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' actions, who acting in their individual capacities, have and continue to enforce the collection of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol from the plaintiffs; that the Plaintiffs be awarded attorneys' fees and costs of this action; and for such other and further relief as the Court shall deem just and equitable in the premises.

COUNT V

13% Rate Plaintiffs

(i.e. those first employed between July 1, 2007 and June 30, 2009)

467. The Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through 466 of this Complaint as though fully set forth herein.

A. Injunctive Relief – Prospective Enforcement of Increased Contributions

468. The plaintiffs are entitled to injunctive relief, enjoining the Defendants, in their official capacities, from enforcing the statutory increases in these plaintiffs' contribution rates at any rate above that of the rate that they originally contracted for at the outset of their employment with the Nebraska State Patrol.

B. Injunctive Relief – Disgorgement of Contributions & Investment Income

469. The plaintiffs are entitled to injunctive relief enjoining the Defendants, in their official capacities, to disgorge all of the Plaintiffs' funds along with all investment income earned thereon, held in trust by the Defendants, that were wrongfully taken by the Defendants by enforcing pension contribution rates at any rate above that of the rate that the Plaintiffs originally contracted for at the outset of their employment with the Nebraska State Patrol.

C. Declaratory Relief

470. Plaintiffs are entitled to declaratory relief, pursuant to the Declaratory Judgments Act, setting out that any imposition of contribution rates higher than their original pension contract rates is unconstitutional.

D. Damages

471. As a proximate result of the Defendants implementation and enforcement of increases to pension contribution rates above the amount the plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, all plaintiffs first employed by the State Patrol first employed between July 1, 2007 and June 30, 2009 have been and will continue to be, damaged in amounts equal to the increases effected by increases in their respective monthly contributions to the fund. These damages are ongoing.

472. That Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' implementation of a pension contribution rate

above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, including attorneys' fees and costs.

WHEREFORE, Plaintiffs pray that the enforcement of each increase to the pension contribution rates of the Plaintiffs contained in Neb. Rev. Stat. § 81-2017 since the date of their first employment with the Nebraska State Patrol be declared unconstitutional as to Plaintiffs; that Defendants – acting in their official capacities -- be enjoined and restrained from the implementation, enforcement, and administration of these increases as to Plaintiffs; that the Court enter declaratory relief, setting out the contribution rates that applies to the Plaintiffs pursuant to their pension contracts; and that Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' actions, who acting in their individual capacities, have and continue to enforce the collection of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol from the plaintiffs; that the Plaintiffs be awarded attorneys' fees and costs of this action; and for such other and further relief as the Court shall deem just and equitable in the premises.

COUNT VII

15% Rate Plaintiffs

(i.e. first employed between July 1, 2009 and June 30, 2010)

473. The Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through 472 of this Complaint as though fully set forth herein.

A. Injunctive Relief – Prospective Enforcement of Increased Contributions

474. The plaintiffs are entitled to injunctive relief, enjoining the Defendants, in their official capacities, from enforcing the statutory increases in these plaintiffs' contribution rates at any rate above that of the rate that they originally contracted for at the outset of their employment with the Nebraska State Patrol.

B. Injunctive Relief – Disgorgement of Contributions & Investment Income

475. The plaintiffs are entitled to injunctive relief enjoining the Defendants, in their official capacities, to disgorge all of the Plaintiffs' funds along with all investment income earned thereon, held in trust by the Defendants, that were wrongfully taken by the Defendants by enforcing pension contribution rates at any rate above that of the rate that the Plaintiffs originally contracted for at the outset of their employment with the Nebraska State Patrol.

C. Declaratory Relief

476. Plaintiffs are entitled to declaratory relief, pursuant to the Declaratory Judgments Act, setting out that any imposition of contribution rates higher than their original pension contract rates is unconstitutional.

D. Damages

477. As a proximate result of the Defendants implementation and enforcement of increases to pension contribution rates above the amount the plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, all plaintiffs employed

by the State Patrol prior to July 1, 2009 and June 30, 2010, have been and will continue to be, damaged in amounts equal to the increases effected by increases in their respective monthly contributions to the fund. These damages are ongoing.

478. That Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' implementation of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, including attorneys' fees and costs.

WHEREFORE, Plaintiffs pray that the enforcement of each increase to the pension contribution rates of the Plaintiffs contained in Neb. Rev. Stat. § 81-2017 since the date of their first employment with the Nebraska State Patrol be declared unconstitutional as to Plaintiffs; that Defendants – acting in their official capacities -- be enjoined and restrained from the implementation, enforcement, and administration of these increases as to Plaintiffs; that the Court enter declaratory relief, setting out the contribution rates that applies to the Plaintiffs pursuant to their pension contracts; and that Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' actions, who acting in their individual capacities, have and continue to enforce the collection of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol from the plaintiffs; that the Plaintiffs be awarded attorneys' fees and costs

of this action; and for such other and further relief as the Court shall deem just and equitable in the premises.

COUNT VIII

16% Rate Plaintiffs

(i.e. first employed between July 1, 2010 and June 30, 2011)

479. The Plaintiffs reallege and incorporate the allegations set forth in paragraphs 1 through 478 of this Complaint as though fully set forth herein.

A. Injunctive Relief – Prospective Enforcement of Increased Contributions

480. The plaintiffs are entitled to injunctive relief, enjoining the Defendants, in their official capacities, from enforcing the statutory increases in these plaintiffs' contribution rates at any rate above that of the rate that they originally contracted for at the outset of their employment with the Nebraska State Patrol.

B. Injunctive Relief – Disgorgement of Contributions & Investment Income

481. The plaintiffs are entitled to injunctive relief enjoining the Defendants, in their official capacities, to disgorge all of the Plaintiffs' funds along with all investment income earned thereon, held in trust by the Defendants, that were wrongfully taken by the Defendants by enforcing pension contribution rates at any rate above that of the rate that the Plaintiffs originally contracted for at the outset of their employment with the Nebraska State Patrol.

C. Declaratory Relief

482. Plaintiffs are entitled to declaratory relief, pursuant to the Declaratory Judgments Act, setting out that any imposition of contribution rates higher than their original pension contract rates is unconstitutional.

D. Damages

483. As a proximate result of the Defendants implementation and enforcement of increases to pension contribution rates above the amount the plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, all plaintiffs employed by the State Patrol between July 1, 2010 and June 30, 2011 have been and will continue to be, damaged in amounts equal to the increases effected by increases in their respective monthly contributions to the fund. These damages are ongoing.

484. That Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' implementation of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol, including attorneys' fees and costs.

WHEREFORE, Plaintiffs pray that the enforcement of each increase to the pension contribution rates of the Plaintiffs contained in Neb. Rev. Stat. § 81-2017 since the date of their first employment with the Nebraska State Patrol be declared unconstitutional as to Plaintiffs; that Defendants – acting in their official capacities -- be enjoined and restrained from the implementation, enforcement, and administration of these increases as to Plaintiffs; that the Court enter declaratory relief, setting out the

contribution rates that applies to the Plaintiffs pursuant to their pension contracts; and that Plaintiffs are entitled to be awarded all incidental and consequential damages arising out of the Defendants' actions, who acting in their individual capacities, have and continue to enforce the collection of a pension contribution rate above the amount that these Plaintiffs contracted for at the outset of their employment with the Nebraska State Patrol from the plaintiffs; that the Plaintiffs be awarded attorneys' fees and costs of this action; and for such other and further relief as the Court shall deem just and equitable in the premises.

THOMAS G. HAYES et al., Plaintiffs.

BY: /s/ Gary J. Nedved

Gary J. Nedved, #15508

Gary L. Young, #20817

Joel Bacon, #22388

KEATING, O'GARA, NEDVED

& PETER, P.C., L.L.O.

530 South 13th Street, Ste. 100

Lincoln, Nebraska 68508

Telephone: (402) 475-8230

DESIGNATION OF LOCATION OF TRIAL

Plaintiffs hereby designate Lincoln, Lancaster County, Nebraska, as the place of trial.

By: /s/ Gary J. Nedved

Gary J. Nedved, #15508